

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Adam Grablick

Serial No.: 10/662,769

Filed: September 15, 2003

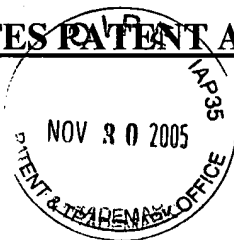
Due Date: November 28, 2005

Title: CONSUMER PRODUCT DISPLAY

Examiner: David Fidei

Group Art Unit: 3728

Docket No.: 6226US (G180.148.101)



RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is responsive to the Office Action mailed October 28, 2005, in which a Restriction Requirement was set forth relative to the Examiner-identified inventions of Group I (claims 1-26), Group II (claims 27-31), and Group III (claims 32-36). In response, Applicant hereby elects Group I (claims 1-26) with traverse for at least the reasons provided below.

The Examiner contends that the identified inventions are distinct. However, due to the existence of many similar claim limitations, it is respectfully submitted that no undue burden exists in examining each of Groups I, II, and III. Were restriction to be affected between Groups I, II, and III, a separate examination of the claims would require substantial duplication of work on the part of the USPTO. This duplication of effort would not be warranted where these claims of different categories are so interrelated. As required by the MPEP, if the search and examination of an entire application can be made without serious burden, the examiner must be examine it on the merits, even though it includes claims to independent or distinct inventions (MPEP §803). Thus, it is respectfully requested that the Restriction Requirement be withdrawn and all claims examined.

The restriction between Group I and Group III is additionally traversed for the following reasons. It is unclear as to how the identified invention Groups are subcombinations. Further, it is respectfully submitted that the Examiner's reference to the display strip being "manufactured

Amendment and Response

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and used independently of the kit at a manufacturing plant" is not a reasonable example of separate utility in support of a restriction requirement. These points, in combination with the fact that the claims of Groups I and III are so interrelated that a search of one group of claims will reveal art related to other, dictates that the restriction between Groups I and III be withdrawn.

Any inquiry regarding this Amendment and Response should be directed to either John A. O'Toole at Telephone No. (763) 764-2422, Facsimile No. (763) 764-2268 or Timothy A. Czaja at Telephone No. (612) 573-2004, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

John A. O'Toole
GENERAL MILLS INC.
P.O. Box 1113
Minneapolis, MN 55440

Respectfully submitted,

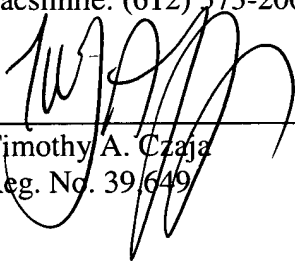
Adam Grablick,

By his attorneys,

DICKE, BILLIG & CZAJA, PLLC
Fifth Street Towers, Suite 2250
100 South Fifth Street
Minneapolis, MN 55402
Telephone: (612) 573-2004
Facsimile: (612) 573-2005

Date: November 23, 2005

TAC:jmc



Timothy A. Czaja
Reg. No. 39,649

CERTIFICATE UNDER 37 C.F.R. 1.8:

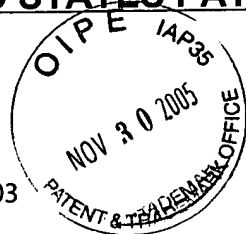
The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 23rd day of November, 2005.

By: 

Name: Timothy A. Czaja

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IFW



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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet containing Certificate of Mailing under 37 C.F.R. 1.8
- ☒ Response to Restriction Requirement 2 pgs.
- ☐ Petition for a Extension of Time 1 pg.
- ☐ The Commissioner is authorized to charge \$0.00 to Deposit Account No. 500471 to cover the Extension of Time Fee
- ☐ Other: _____
- ☒ Return Postcard

Customer No. 025281

By 
Name: Timothy A. Czaja (Reg. No. 39,649)

Please consider this a Petition for Extension of Time for a sufficient number of months to enter these papers, if appropriate. At any time during the pendency of this application, please change any additional fees or credit overpayment to Deposit Account No. 500471.

CERTIFICATE UNDER 37 C.F.R. 1.8:

Date of Deposit: November 28, 2005

The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service as First Class Mail, addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Name: Timothy A. Czaja